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COUNSEL

2007 NOV 23 A 10 13

November 12, 2007

Mr. Jeff S. Jordan, Supervisory Attorney
Complaints Examination and Legal Administration
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 5949

Dear Mr. Jordan,

Thank you for your letter of November 6, 2007. You advised that should I receive any additional information regarding the matter referenced above that I could forward it to you. Since I do have additional information, I am writing you this letter to provide you with it.

On October 14, 2007 I notified Gordon Fischer via e-mail that I planned to file an FEC complaint against him. Within an hour of that missive being sent, I received an e-mail regarding this matter from Hillary Clinton's campaign in Iowa as outlined in my original complaint. The individual who sent me that e-mail from the Clinton campaign was a person that I had never heard of before, Mark Daley.

On October 15, 2007 Gordon Fischer posted an item entitled "Iowa True Blue Makes No Cents" at his political web site, www.iowatrueblue.com. In it he ridiculed what he called a "lengthy rant" sent to him by me advising him of my intent to file an FEC complaint against him. Fischer went on to belittle my open, honest and private communication to him about what I felt obligated to do under FEC law regarding this matter. Once I saw this item, I sent Fischer another personal e-mail expressing my continued displeasure with his actions.

On October 17, 2007 Fischer posted yet another item about me at his web site. This one was entitled "Honest." He maintained in this discussion that I had interpreted his October 15, 2007 post mentioned above as a "threat" or "intimidation." He concluded his introductory paragraph of his post by saying, "Needless to say, this was not my intent."

But Fischer never attempted to explain the purpose of his posts, let alone the intent behind them. One wonders if, as a practicing attorney, Fischer routinely argues legal matters on blogs via the Internet. Or perhaps, as a former state chairperson of the Iowa Democratic Party, Fischer thinks it is appropriate to prospectively discuss matters to be placed before the FEC on blogs via the Internet. Obviously, the only way to determine what Fischer had in mind with his posts about me on his political web site is for the FEC to investigate these matters, as well as those outlined in my original complaint.

Despite occasional defenses to the contrary, since October 14, 2007 Gordon Fischer has continued to exclusively build up Senator Obama at www.iowatrueblue.com and tear

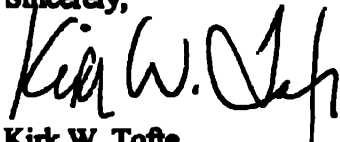
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down Senator Clinton. His web site continues to be nothing more than a direct arm of the Obama campaign and should be labeled as such so that this can be disclosed to the general public.

On October 29, 2007 Mark Daley of Hillary Clinton's campaign asked me not to make appearances any longer at their offices in Des Moines. Daley handles press relations in Iowa for Senator Clinton. Formerly, he did similar work for the organization Gordon Fischer once headed, the Iowa Democratic Party. Although Daley did not explain his request of me, it obviously stems—in very large part, at least—from the many phone calls Gordon Fischer has made to Hillary Clinton's campaign about me. Again, I can only look to the FEC to help me discover the purpose and the intent of Fischer's communications about me with Senator Clinton's campaign in Iowa.

Finally, you will find a letter I sent on October 19, 2007 to a managing partner at the law firm where Gordon Fischer is currently employed.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk W. Tofte". The signature is written in a cursive, flowing style with a large, stylized "K" and "T".

Kirk W. Tofte

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